



Sen. Martin A. Sandoval

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LRB096 17504 RLJ 37269 a

1 AMENDMENT TO SENATE BILL 2571

2 AMENDMENT NO. _____. Amend Senate Bill 2571 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 High-Speed Rail Authority Act.

6 Section 5. Creation. The High-Speed Rail Authority is
7 created as an Illinois political subdivision, municipal
8 corporation, and unit of local government.

9 Section 10. Board; compensation. The Authority shall be
10 governed by a 7-member board of directors consisting of members
11 appointed by the Governor, with the advice and consent of the
12 Senate, as follows: one member from the Metro East region, one
13 member from the central Illinois region, one member from the
14 northern Illinois region outside of the collar counties (Lake,
15 McHenry, DuPage, Kane, and Will counties), 2 members from the

1 collar counties, one member from suburban Cook County (outside
2 of the City of Chicago), and one member from the City of
3 Chicago. Each member must have experience in at least one of
4 the following areas (i) the management of large infrastructure
5 projects, (ii) finance, or (iii) the transportation industry.
6 At least 3 of the members must have technical qualifications,
7 professional standing, and demonstrated knowledge in railroad
8 transportation. The Board members shall serve without
9 compensation, but may be reimbursed for actual expenses
10 incurred by them in the performance of their duties.

11 Section 15. Terms, vacancies, and removal.

12 (a) Of the initial directors, 4 shall be appointed for a
13 2-year term and 3 shall be appointed for a 4-year term.
14 Thereafter, directors shall serve for a 4-year term. Directors
15 shall hold office until their respective successors have been
16 appointed and qualified.

17 (b) A vacancy in office shall occur upon a director's
18 resignation, death, or disqualification under the laws of this
19 State or the laws of the United States. A vacancy shall be
20 filled by the Governor for the remainder of the term.

21 Section 20. Meetings; quorum.

22 (a) As soon as practical after the effective date of this
23 Act, the Board shall organize for the transaction of business.
24 The Board may organize and conduct business when a majority of

1 the members have been appointed. The Board shall prescribe the
2 time and place for meetings, the manner in which special
3 meetings may be called, the notice that must be given to
4 directors of any meeting of the Board, and the notice that must
5 be given to the public of meetings of the Board. The Board
6 shall promulgate the by-laws of the Authority. Four directors
7 constitute a quorum for the transaction of business.

8 (b) All substantive action of the Board shall be by
9 resolution. The concurrence of at least 4 directors is
10 necessary for the adoption of any resolution. No action may be
11 taken by the Board until at least a majority of the directors
12 have been appointed and qualified.

13 Section 25. Chairperson; officers. A chairperson shall be
14 selected from the Board members by a majority vote of the Board
15 members. The chairperson shall preside at the meetings of the
16 Board and shall be entitled to vote on all matters. The Board
17 shall select a vice-chairperson (who shall preside in the
18 chairperson's absence), and may provide for other officers of
19 the Authority as deemed to be necessary. Except as otherwise
20 provided in this Section, officers of the Authority may, but
21 need not, be directors.

22 Section 27. Conflict of interest. No member of the Board or
23 employee of the Authority may have a private financial interest
24 in or profit from any contract, work, or business of the

1 Authority.

2 Section 30. Executive director. The Board must appoint an
3 executive director to serve as the chief administrative officer
4 of the Authority. The executive director must be a licensed
5 engineer with experience managing large infrastructure
6 projects, preferably high-speed rail projects.

7 Section 32. Financial officer. The Board must appoint a
8 financial officer to oversee the financial management of the
9 Authority and to prepare the Authority's budget.

10 Section 35. Powers of the Authority. The Authority has the
11 power:

12 (1) to sue and be sued;

13 (2) to plan, design, build, operate, maintain, and finance
14 new infrastructure for a high-speed rail network;

15 (3) to enter into public-private partnerships with global
16 high-speed rail operators to design, build, operate, maintain,
17 and finance a high-speed rail network; and

18 (4) to enter into intergovernmental agreements with the
19 State, any other state, the United States government, any
20 agency or instrumentality of the United States, any unit of
21 local government located within the territory of the Authority,
22 or any other unit of government to the extent allowed by
23 Section 10 of Article VII of the Illinois Constitution and the

1 Intergovernmental Cooperation Act for the following purposes:
2 (i) to build tracks to connect to the State's high-speed rail
3 network, (ii) to enter into public-private partnerships to
4 design, build, operate, maintain, and finance extensions of the
5 high-speed rail network outside of the State, (iii) to develop
6 plans and to engage in ridership or revenue analysis for
7 extensions outside of the State, or (iv) for any other purpose
8 that advances the creation of a high-speed rail network that
9 serves Illinois residents.

10 Section 40. Duties of the Authority. The Authority must
11 perform the following functions:

12 (1) develop a high-speed rail system that includes O'Hare
13 Airport;

14 (2) develop a 5-year, 10-year, and 20-year plan for
15 developing a high-speed rail network;

16 (3) comply with all State and federal laws concerning labor
17 and rail safety;

18 (4) seek the advice and consultation of potential private
19 operators of a high-speed rail system, including without
20 limitation Amtrak, in the planning, designing, building,
21 operating, and maintaining of a high-speed rail system;

22 (5) engage in alternatives analysis to determine multiple
23 routes connecting O'Hare Airport, downtown Chicago, and
24 downstate Illinois during the first planning stage of the
25 high-speed rail system;

1 (6) establish a Disadvantaged Business Enterprise (DBE)
2 program; and

3 (7) create an ethics policy for the Authority.

4 Section 45. Acceptance of grants, loans, and
5 appropriations. The Authority has the power to apply for and
6 accept grants, loans, advances, and appropriations from the
7 federal government, the State, any other unit of government, or
8 any other legal entity to be used for the purposes of the
9 Authority, and to enter into any agreement in relation to the
10 grants, loans, advances, and appropriations.

11 Section 50. Existing track. The Authority has no power to
12 regulate existing track owned by railroads, except if the
13 Authority enters into a contract with a railroad providing the
14 Authority access to the track or the power to regulate the
15 track.

16 Section 55. Planning committee. A high-speed rail planning
17 committee shall advise the Authority in the development,
18 construction, and operation of a high-speed rail network. The
19 planning committee shall consist of one representative
20 designated by each of the following: the Illinois Department of
21 Transportation, Illinois Commerce Commission, Chicago
22 Transportation Authority, Regional Transportation Authority,
23 Metrolink, City of Chicago, City of Rockford, City of Kankakee,

1 City of Springfield, City of Bloomington, City of Normal, City
2 of Joliet, City of Urbana, City of Champaign, Metropolitan Pier
3 and Exposition Authority, Illinois AFL-CIO, Federal Railroad
4 Administration, Amtrak, and each Class 1 railroad carrier
5 operating within the State. The planning committee shall meet
6 for the first time no later than 60 days after the effective
7 date of this Act.

8 Section 60. Support; procurement. The Illinois State Toll
9 Highway Authority must provide support to the Authority,
10 including without limitation financing expertise, engineering
11 expertise, procurement expertise, personnel management, and
12 any other support to assure the Authority's efficient use of
13 transportation related resources.

14 Except for the procurement of electric power, the Illinois
15 State Toll Highway Authority shall manage the procurement
16 process for the Authority.

17 Section 65. Procurement of electric power. The Illinois
18 Power Agency must procure electric power for the High-Speed
19 Rail Authority at the lowest possible cost.

20 Section 90. The Toll Highway Act is amended by changing
21 Section 16.3 as follows:

22 (605 ILCS 10/16.3)

1 Sec. 16.3. Duties. Consistent with general law, the
2 Authority shall:

3 (a) set goals for the award of contracts to
4 disadvantaged businesses and attempt to meet the goals;

5 (b) attempt to identify disadvantaged businesses that
6 provide or have the potential to provide supplies,
7 materials, equipment, or services to the Authority;

8 (c) give disadvantaged businesses full access to the
9 Authority's contact bidding process, inform the businesses
10 about the process, offer the businesses assistance
11 concerning the process, and identify and take all
12 reasonable steps to remove barriers to the businesses'
13 participation in the process; -

14 (d) provide support to the High-Speed Rail Authority
15 including without limitation financing expertise,
16 engineering expertise, procurement expertise, personnel
17 management, and any other support to assure the High-Speed
18 Rail Authority's efficient use of transportation related
19 resources; and

20 (e) manage the procurement process for the High-Speed
21 Rail Authority, except for the procurement of electric
22 power.

23 (Source: P.A. 94-636, eff. 8-22-05.)

24 Section 97. Severability. The provisions of this Act are
25 severable under Section 1.31 of the Statute on Statutes.

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.".